

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 L-03 CPR-01 PM-04 DODE-00 EURE-00

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O R 201601Z AUG 75

FM AMEMBASSY THE HAGUE

TO SECSTATE WASHDC IMMEDIATE 6517

INFO AMEMBASSY BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY OSLO

USMISSION USNATO

USCINCEUR

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E.O. 11652: N/A

TAGS: MASS, PDIP, NL

SUBJ: F-16: LEGAL STATUS OF CONSORTIUM PERSONNEL

REF: (A) STATE 196882 (B) BRUSSELS 6787

1. EMBASSY AND MAAG HAVE GIVEN URGENT AND THOROUGH CONSIDERATION TO INSTRUCTIONS REF (A) TO APPROACH GON IN EFFORT TO DETERMINE LEGAL STATUS FOR US PERSONNEL IN NETHERLANDS. INFORMATION IN REF (A) AND (B) DOES NOT, HOWEVER, SEEM TO BE ADEQUATE TO MAKE MEANINGFUL DISCUSSIONS WITH GON POSSIBLE AND MAKES IT DIFFICULT PROVIDE IN DEPTH ANSWERS REQUESTED REF (A) WITHIN INDICATED TIME FRAME. FOLLOWING CONSIDERATIONS SEEM RELEVANT.

2. MAIN QUESTION CENTERS ON IDENTITY OF TWELVE PERSONNEL TO BE ASSIGNED TO NETHERLANDS, I.E. WILL THEY BE MILITARY OFFICERS, CIVILIAN OFFICER OF USG OR US NATIONALS NOT EMPLOYED BY USG. FURTHER QUESTIONS RELATE TO THEIR FUTURE LOCATION IN THE NETHERLANDS, LENGTH OF THEIR PROPOSED STAY, AND WHETHER THEY WOULD BE ACCOMPANIED BY DEPENDENTS.

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3. MAAG ON INSTRUCTIONS HAS ISSUED INVITATIONAL ORDERS TO THREE DUTCH OFFICERS ASSIGNED TO WRIGHT-PATTERSON AFB FOR TRAVEL AND SOJOURN IN THE US. IT IS OUR UNDERSTANDING THAT THESE OFFICERS AND THEIR FAMILIES WILL, PURUANT TO AIR FORCE

REGULATIONS, BE ISSUED PX AND HOSPITAL PRIVILEGES GIVING THEM IN EFFECT STATUS AND PRIVILEGES IDENTICAL TO US OFFICERS IN SIMILAR CIRCUMSTANCES. THIS IS RELEVANT IN TERMS OF CONSIDERING PRIVILEGES AND IMMUNITIES TO BE GRANTED US MNFP PERSONNEL ASSIGNED TO NETHERLANDS.

4. VIEWED FROM HERE, IT WOULD APPEAR NATO SOFA WOULD APPLY TO MILITARY OFFICERS AND CIVILIAN USG EMPLOYEES, GIVEN RELATIONSHIP OF MNFP PROJECT WITH NATO. WE WOULD, OF COURSE, ALSO HAVE TO ASCERTAIN DUTCH VIEWS ON THIS. NATO SOFA WOULD NOT, HOWEVER, COVER US CITIZENS WORKING FOR PRIVATE CONTRACTORS.

5. DUTCH WILL VERY LIKELY WISH TO CONSULT BELGIANS (AND POSSIBLY ALSO OTHER NATO PARTNERS) ABOUT BEST POSSIBLE WAY OF HANDLING SITUATION AND LIKELY BELGIAN APPROACH (REF B) MAY FOR THAT REASON APPEAL TO GON. WE WOULD ANTICIPATE THAT IN ANY EVENT GON WOULD WISH TO GIVE CAREFUL CONSIDERATION TO THIS QUESTION BEFORE PROVIDING AUTHORITATIVE INDICATION OF THEIR THINKING. ALL THIS IS LIKELY TO TAKE TIME.

6. ACTION REQUESTED IN ORDER TO TAKE UP THIS MATTER EFFECTIVELY WITH GON, WE WOULD APPRECIATE URGENT AND DETAILED GUIDANCE POINTS ABOVE.

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